

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

LAURI A. OSBOURNE, Individually and)
On Behalf of All Similarly Situated,) Civil Action No. 3:07-cv-00469 (RNC)
Plaintiff,)
v.) Class Action
MENU FOODS, INC.)
Defendant,) April 19, 2007

DEFENDANT'S MOTION TO STAY ALL PROCEEDINGS

The defendant hereby moves this Court to stay all proceedings in this action pending a transfer decision by the Judicial Panel on Multidistrict Litigation ("JPML") pursuant to U.S.C. §1407 and pending a determination of class certification by the transferee court pursuant to Federal Rules of Civil Procedure 23(d)(1). The defendant specifically requests that the stay of proceedings apply to any obligation the defendant has to file a responsive pleading as well as the parties' obligations with regard to filing a proposed case management plan under Federal Rule 26(f) and Local Rule 26(e).

A stay of all proceedings in this action pending a transfer decision by the JPML and a determination of class certification by the transferee court is necessary to promote judicial economy and avoid undue prejudice to the parties. Due to multiple pending MDL motions and

May 18, 2007. Osbourne v. Menu Foods, Inc.
Case No. 07-CV-469 (RNC)

Re: Motion to Stay All Proceedings (Doc. #7)

Granted. Federal district courts have broad discretion to stay proceedings, as incident to the power to control their dockets. Clinton v. Jones, 520 U.S. 681, 706 (1997). The requested stay is warranted to give effect to the purpose of 28 U.S.C. § 1407(a) (2000), which is to "promote the just and efficient conduct" of actions involving "one or more common questions of fact . . . pending in different districts." Id. Granting the stay may greatly reduce defendant's costs resulting from duplicative litigation, while burdening plaintiff with only a short initial delay in the proceedings. Accordingly, the Court hereby stays all further proceedings in this case pending a transfer decision by the Judicial Panel on Multidistrict Litigation. So ordered.